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Programme budget for the biennium 2006-2007

Integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic, social and related fields

Follow-up to the outcome of the Millennium Summit

Human Rights Council

Programme budget implications of draft resolution A/60/L.48

Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly

Summary

Should the General Assembly adopt draft resolution A/60/L.48, additional requirements totalling $4,503,700 would arise in the biennium 2006-2007, comprising, respectively, section 2, General Assembly and Economic and Social Council affairs and conference management ($4,064,500), section 23, Human rights ($333,700), section 28E, Administration, Geneva ($60,100), and section 35, Staff assessment ($45,400). These additional requirements would be offset by a total of $175,000, comprising $69,500 already approved in the regular budget for servicing the Commission on Human Rights under section 23, $60,100 under section 28E, and $45,400 under Income section 1, Income from staff assessment. The balance of $4,328,700 would be subject to the procedures governing the contingency fund (see General Assembly resolutions 41/213 and 42/211).

The General Assembly may recall that in its resolution 60/248 of 23 December 2005 it noted that a balance of $4,966,000 remains in the contingency fund.

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Introduction

1. It will be recalled that the General Assembly, in the 2005 World Summit Outcome, resolved to create a Human Rights Council (resolution 60/1, para. 157) and requested the President of the General Assembly to conduct open, transparent and inclusive negotiations, to be completed as soon as possible during the sixtieth session, with the aim of establishing the mandate, modalities, functions, size, composition, membership, working methods and procedures of the Council (resolution 60/1, para. 160). The outcome of these negotiations is contained in draft resolution A/60/L.48.

2. It will also be recalled that in the report of the Secretary-General on the 2005 World Summit Outcome: revised estimates to the proposed programme budget for the biennium 2006-2007 (A/60/537, para. 68), it was indicated that the creation of a Human Rights Council would entail significant potential programme budget implications. In addition, it was indicated that the General Assembly would be informed of these implications at the time of its consideration of the modalities, functions, size, composition, membership, working methods and procedures of the proposed Council and any arrangements related to the transition from the Commission on Human Rights to the Council.

Requests contained in the draft resolution

3. By operative paragraph 1 of the draft resolution, the General Assembly would decide to establish the Human Rights Council, based in Geneva, in replacement of the Commission on Human Rights, as a subsidiary organ of the General Assembly; the Assembly shall review the status within five years.

4. By operative paragraph 5 (e), the General Assembly would decide that the Council would undertake a universal periodic review, based on objective and reliable information, of the fulfilment by each State of its human rights obligations and commitments in a manner which ensures universality of coverage and equal treatment with respect to all States; the review shall be a cooperative mechanism, based on an interactive dialogue, with the full involvement of the country concerned and with consideration given to its capacity-building needs; such a mechanism shall complement and not duplicate the work of treaty bodies; the Council shall develop the modalities and necessary time allocation of the universal periodic review mechanism within one year after the holding of its first session.

5. By operative paragraphs 5 (g) and (j) respectively, the General Assembly would decide that the Council would assume the role and responsibilities of the Commission on Human Rights relating to the work of the Office of the United Nations High Commissioner for Human Rights, as decided by the Assembly in its resolution 48/141, and that it would submit an annual report to the Assembly.

6. By operative paragraph 10, the General Assembly would decide that the Council shall meet regularly throughout the year and schedule not fewer than three sessions per year, including a main session, for a total duration of no less than 10 weeks, and shall be able to hold special sessions, when needed, at the request of a member of the Council with the support of one third of the membership of the Council.

7. By operative paragraph 11, the General Assembly would, inter alia, decide that the Council shall apply the rules of procedure established for committees of the General Assembly, as applicable, unless subsequently otherwise decided by the Assembly or the Council.

8. By operative paragraph 13, the General Assembly would recommend that the Economic and Social Council request the Commission on Human Rights to conclude its work at its sixty-second session and to abolish the Commission on 16 June 2006.

9. By operative paragraph 15, the General Assembly would decide that the elections of the first members of the Council shall take place on 9 May 2006 and that the first meeting of the Council shall be convened on 19 June 2006.

Relationship of the requests to the programme of work and the programme budget for the biennium 2006-2007

10. The activities proposed in the draft resolution are related to programme 1, General Assembly and Economic and Social Council affairs and conference management, programme 19, Human rights, and programme 24, Management and support services, of the biennial programme plan and priorities for the period 2006-2007, and to section 2, General Assembly and Economic and Social Council affairs and conference management, section 23, Human rights, section 28E, Administration, Geneva, section 35, Staff assessment, and Income section 1, Income from staff assessment, of the programme budget for the biennium 2006-2007.

11. As regards operative paragraph 5 (e), the establishment and operation of a universal review system would require core staff to provide the Council with appropriate support for its related activities.

12. As regards operative paragraphs 5 (g) and (j), in 2006 the Commission on Human Rights will submit one instead of two annual reports to the Economic and Social Council. The Human Rights Council will submit an annual report to the General Assembly.

13. With regard to the implementation of paragraphs 10 and 15 of the draft resolution, it is the understanding of the Secretary-General that the Council shall meet for a total duration of no less than 10 weeks, and shall be able to hold special sessions, when needed, at the request of a member of the Council with the support of one third of the membership of the Council. It is further understood that interpretation and documentation requirements shall be provided in the six official languages of the United Nations. The programme budget and the calendar of conferences for the biennium 2006-2007 already includes a total of six weeks of meetings per year, interpretation and documentation in the six official languages as well as summary records in English and French. Consequently, pursuant to paragraph 10 of the draft resolution, there would be additional requirements for four weeks of meetings and 60 pre-session documents totalling 900 pages.

14. With regard to operative paragraph 11, the General Assembly would decide that the Council shall apply the rules of procedure established for committees of the General Assembly, as applicable, unless subsequently otherwise decided by the General Assembly or the Council. Bearing in mind that the Commission on Human Rights has been provided with summary records of its proceedings in English and

French based on the Commission's rules of procedures, it is assumed that the Council would now be accorded arrangements pursuant to the rules of procedure of the General Assembly and its committees and subcommittees. On that understanding, and based on rules 51 and 54 of the rules of procedure of the General Assembly, the summary records of the Council would be in all six official languages.

15. With regard to the implementation of paragraph 15 of the draft resolution, it is understood that the General Assembly shall meet on 9 May 2006 to elect the first members of the Council. It is also understood that the related requirements for conference services would be provided from within the entitlements of the Assembly, which are incorporated in the calendar of conferences for the current biennium.

Modification of the programme of work for the biennium 2006-2007

16. In order to reflect the provisions of the draft resolution, the programme of work of section 23 of the programme budget for the biennium 2006-2007 (A/60/6 (Sect. 23)) would be modified as described below. Modifications to sections 2 and 28E are not required since its programme of work, as approved by the General Assembly, has anticipated additionalities during the biennium.

Section 23
Human rights

Subprogramme 1
Human rights mainstreaming, right to development, research and analysis

Outputs

In paragraph 23.40 (a), after Commission Human Rights, *insert* and Human Rights Council[1]

In paragraph 23.44 (a) (iii), after Commission on Human Rights, *insert* and Human Rights Council[1]

In paragraph 23.44 (a) (iii) a., *replace* plenary meetings (56) *with* plenary meetings (50)

Subprogramme 2
Supporting human rights bodies and organs

Outputs

In paragraph 23.54 (a) (i), after Commission on Human Rights (through the Economic and Social Council), *replace* (2) *with* (1); *insert* reports of the Human

[1] The General Assembly recommends that the Economic and Social Council request the Commission on Human Rights to conclude its work at its sixty-second session in 2006 and abolish the Commission on 16 June 2006. The Assembly decides to establish the Human Rights Council, based in Geneva, in replacement of the Commission on Human Rights, as a subsidiary organ of the General Assembly.

Rights Council (2) and report of the Human Rights Council on the modalities and necessary time allocation of the universal periodic review mechanism (1)

In paragraph 23.54 (a) (ii), after reports of the Commission on Human Rights, *replace* (2) *with* (1)

In paragraph 23.54 (a) (iii), after Commission on Human Rights, *insert* and Human Rights Council[1]

In paragraph 23.54 (a) (iii) a., after substantive servicing of meetings, *replace* plenary meetings (20) *with* plenary meetings (30)

Following paragraph 23.54 (a) (iii) b., *insert* subparagraph c. Briefing of member States and United Nations entities on procedural issues relating to the Human Rights Council

Subprogramme 3
Advisory services, technical cooperation and field activities

Outputs

In paragraph 23.60 (a) (iii), after Commission on Human Rights, *insert* and Human Rights Council[1]

In paragraph 23.60 (a) (iii) a., after substantive servicing of meetings, *replace* plenary meetings (50) *with* plenary meetings (80)

Subprogramme 4
Support for human rights thematic fact-finding procedures

Outputs

In paragraph 23.68 (a) (ii), after Commission on Human Rights, *insert* and Human Rights Council[1]

In paragraph 23.68 (a) (ii) a., after Working Group on Arbitrary Detention (72) *insert* Human Rights Council (40)

Estimated additional requirements for the biennium 2006-2007

17. Total additional requirements for the biennium 2006-2007 are estimated at $4,503,700, as set out below.

Section 2
General Assembly and Economic and Social Council affairs and conference management

($4,064,500)

18. It will be recalled that in paragraph 26 of the report of the Secretary-General on the revised estimates (A/60/537), the General Assembly was informed that the conference servicing requirements for the activities of the Human Rights Council during the biennium 2006-2007 will be defined on the basis of the outcome of

consultations on modalities, functions, procedures and working methods of the Council to be conducted by the President of the General Assembly with Member States under the terms of paragraph 160 of the 2005 World Summit Outcome (resolution 60/1) and that, for the time being, it was foreseen that the servicing of the meetings of the Council will be met by utilizing the conference servicing provision allocated in the proposed programme budget for the biennium 2006-2007 for activities of the Commission on Human Rights. Furthermore, the Assembly was informed that, bearing in mind the expected continuing nature of the activities of the Council during the biennium, it is estimated that its overall conference servicing workload may exceed the workload of the Commission. With this in mind, it was felt that an additional provision of $4,000,000 should be allocated at that stage for the Council for the biennium 2006-2007, on a tentative basis, in order to ensure uninterrupted servicing of its activities. The overall requirements would be estimated again at a later stage and related proposals submitted to the Assembly, based on the outcome of activities detailed in paragraph 160 of the 2005 World Summit Outcome.

19. Resource requirements for conference servicing have been re-evaluated based on draft resolution A/60/L.48. In this connection, the total requirement under section 2 amounts to $4,064,500 ($1,104,200 in 2006 and $2,960,300 in 2007). This amount is $64,500 above the earlier estimate of $4,000,000 reflected in the report of the Secretary-General (A/60/537).

Section 23
Human rights

($333,700)

20. The additional requirement of $333,700 under section 23 includes $298,100 for two new posts (1 P-4 and 1 P-3), $31,000 for travel of the President of the Council to attend the annual sessions of the General Assembly and $4,600 for data-processing equipment for the proposed two new posts.

21. The establishment of a universal periodic review of the fulfilment by each State of its human rights obligations and commitments, as called for in operative paragraph 5 (e) of the draft resolution, is a new function requiring additional staff resources. Noting that the Council will be developing the modalities of the review mechanism within one year of its inception, a core staff of two Professionals (1 P-4 and 1 P-3) is proposed at this stage to support the Council in the development of modalities and the consequential preparatory activities, analyses and related pre-sessional and post-sessional documentation requirements. The proposal would be revisited based on experience gained.

Section 28E
Administration, Geneva

($60,100)

22. The additional requirements, totalling $60,100 under section 28E, would provide for general operating expenses ($17,800) such as rental and maintenance of premises, utilities, supplies, communications, for furniture and fixture ($5,300) and contractual services of conference services technicians ($37,000).

Section 35
Staff assessment

($45,400)

23. The new post proposals presented under section 23 will give rise to an additional requirement for staff assessment in the amount of $45,400. This provision will be offset by a corresponding increase under Income section 1.

24. The total additional resource requirements are summarized in the table below (in United States dollars):

	2006	*2007*	*2006-2007*
Section 2. General Assembly and Economic and Social Council affairs and conference management	1 104 200	2 960 300	4 064 500
Section 23. Human rights			
Posts			
1 P-4 Human rights officer	81 400	81 600	163 000
1 P-3 Human rights officer	67 400	67 700	135 100
Travel of representatives (President of the Council to attend the annual sessions of the General Assembly)	15 500	15 500	31 000
Automation equipment for 2 posts (2,300 each)	4 600	—	4 600
Total, section 23	**168 900**	**164 800**	**333 700**
Section 28E. Administration, Geneva			
General operating expenses	6 000	11 800	17 800
Contractual services	18 500	18 500	37 000
Furniture and fixtures	5 300	—	5 300
Total, section 28E	**29 800**	**30 300**	**60 100**
Section 35. Staff assessment	22 700	22 700	45 400
Total requirements	**1 325 600**	**3 178 100**	**4 503 700**

Funding of additional requirements: programme budget for the biennium 2006-2007

25. Additional requirements for the biennium 2006-2007 total $4,503,700, as follows: $4,064,500 under section 2, $333,700 under section 23, $60,100 under section 28E, and $45,400 under section 35.

26. The increased conference servicing requirements of the Human Rights Council amount to $4,064,500, resulting from an additional four weeks of meetings, 60 pre-session documents (a total of 900 pages) and summary records in the six official languages. These requirements would be over and above the provisions under section 2, of the programme budget for the biennium 2006-2007.

27. Heretofore the reports, decisions and resolutions of the Commission on Human Rights have been submitted to the Economic and Social Council for consideration. Noting that the provisions of operative paragraph 1 of the draft resolution establish the Council as a subsidiary organ of the General Assembly, the workload of the Economic and Social Council in considering outputs of the Commission on Human Rights will be reduced. Recent experience indicates that three meetings per annum of the Economic and Social Council are devoted fully to human rights issues. However, pending a decision by the Economic and Social Council to reduce the number of its meetings, there has been no consideration of offsetting any amounts relating to the conference servicing of the Economic and Social Council.

28. Total requirements under section 23, amount to $333,700. Of this amount, $69,500 for the travel of the members of the Commission, which would no longer be required as a result of the Assembly's recommendation that the Economic and Social Council abolish the Commission on Human Rights on 16 June 2006, could be utilized. The balance of $264,200 represents requirements over and above the resources available under section 23 of the programme budget for the biennium 2006-2007.

29. It will be recalled that resources are already provided in the programme budget for the biennium 2006-2007 under subprogramme 2, Supporting human rights bodies and organs, for 9 posts to service the Commission on Human Rights and the Subcommission on the Promotion and Protection of Human Rights: 5 Professional (1 P-5, 1 P-4, 2 P-3, 1 P-2) and 4 General Service posts. These resources will continue to be utilized for servicing the Human Rights Council.

30. Additional resources totalling $60,100 are required under section 28E, for general operating expenses, furniture and fixture and contractual services. It is proposed to meet these requirements from the resources already approved for the biennium 2006-2007. However, any additional requirements that may arise will be reported in the context of the performance report.

31. The additional requirement of $45,400 for staff assessment under section 35 arising from the two new post proposals will be offset by a corresponding increase under Income section 1, Income from staff assessment.

32. The table below summarizes the total net requirements (in United States dollars). The amount of $4,328,700 ($4,064,500 under section 2 and $264,200 under section 23) represent additional requirements to be met from the contingency fund.

	Requirements in the biennium 2006-2007		
	Total requirements	*Offset*	*Net requirements*
Section 2. General Assembly and Economic and Social Council affairs and conference management	4 064 500	—	4 064 500
Section 23. Human rights	333 700	(69 500)	264 200
Section 28E. Administration, Geneva	60 100	(60 100)	—
Section 35. Staff assessment	45 400	(45 400)[a]	—
Total	**4 503 700**	**(175 000)**	**4 328 700**

[a] Offset by the same amount under Income section 1, Income from staff assessment.

Contingency fund

33. It will be recalled that under the procedure established by the General Assembly in its resolution 41/213, a contingency fund is established each biennium to accommodate additional expenditures derived from the legislative mandates not provided for in the approved programme budget. Under the same procedure, if additional expenditures proposed exceed resources available from the contingency fund, these activities can be implemented only through the redeployment of resources available from low-priority areas or the modification of existing activities.

34. Should it not prove possible to meet the cost required from the contingency fund, the activities and outputs to be carried out under section 2 and section 23 foreseen for the biennium 2006-2007 would have to be further reprogrammed and modified beyond the proposals included in the present statement.

Conclusion

35. **Should the General Assembly adopt draft resolution A/60/L.48, additional requirements of $4,503,700 would arise in the biennium 2006-2007 consisting of $4,064,500 under section 2, $333,700 under section 23, $60,100 under section 28E, and $45,400 under section 35. Of this amount, $175,000 would be offset, consisting of $69,500 under section 23, $60,100 under section 28E, and $45,400 under Income section 1. The balance of $4,328,700 would be subject to the procedures governing the use of the contingency fund (see General Assembly resolutions 41/213 and 42/211).**

36. **The General Assembly may recall that in its resolution 60/248, it noted that a balance of $4,966,000 remains in the contingency fund.**